

SCOTT N. SCHOOLS (SC 9990)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

SUSAN KNIGHT (CSBN 209013)
Assistant United States Attorney

150 Almaden Blvd., Suite 900
San Jose, California 95113
Telephone: (408) 535-5056
FAX: (408) 535-5066
Susan.Knight@usdoj.gov

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-00562 RMW
)	
Plaintiff,)	
)	STIPULATION AND []
v.)	ORDER EXCLUDING TIME
)	
ALEJANDRO HORTA-GUZMAN,)	
)	
Defendant.)	SAN JOSE VENUE
)	

On October 15, 2007, the undersigned parties appeared before the Court for an initial appearance. Assistant Federal Public Defender Lara Vinnard informed the Court that she was conducting an investigation into the defendant's criminal history and was in the process of requesting additional discovery from the government. The parties then requested a status hearing on November 19, 2007, and requested an exclusion of time under the Speedy Trial Act from October 15, 2007 to November 19, 2007 in order for AFDV Vinnard to complete her investigation and for the government to provide discovery. The defendant, through AFDV Vinnard, agreed to the exclusion. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel.

1 SO STIPULATED:

SCOTT N. SCHOOLS
United States Attorney

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3 DATED: 10/15/07

/s/
SUSAN KNIGHT
Assistant United States Attorney

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5 DATED: 10/15/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

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9 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
10 under the Speedy Trial Act from October 15, 2007 to November 19, 2007. The Court finds,
11 based on the aforementioned reasons, that the ends of justice served by granting the requested
12 continuance outweigh the best interest of the public and the defendant in a speedy trial. The
13 failure to grant the requested continuance would deny defense counsel reasonable time necessary
14 for effective preparation, taking into account the exercise of due diligence, and would result in a
15 miscarriage of justice. The Court therefore concludes that this exclusion of time should be made
16 under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

17 SO ORDERED.

18
19 DATED: 10/18/07


RONALD M. WHYTE
United States District Judge